MT LEGISLATIVE HISTORY

Chapter 270 1974

Bill H _____ (S) 642 Original bill & hist. ___C

H. Committee on Labor & Employment		S. Committee on Labor & Employment	
Hearing Date(s) Feb 22	✓C	Hearing Date(s) Jan 25	✓C
Mar 06	✓C	Feb 06	✓C
_____	___C	_____	___C
_____	___C	_____	___C
Date Out Mar 06	✓C	Feb 06	✓C

Did this bill originate in an interim committee? ___Yes ___No

Committee _____ Report _____

February 22, 1974

LABOR AND EXPLOYMENT RELATIONS COMMITTEE PROCEEDINGS:

A meeting of the Labor and Employment Relations Committee was held on February 22, 1974, at 10:30 a.m. in Room 428A with Chairman Pat McKittrick presiding. All members were present, except Reps. Lombardi and Tierney, who were excused.

SENATE BILL #489 -- SPONSOR: Sen. Frank Hazelbaker. He said that on July 1, 1973, all employees were put under industrial accident insurance. He said the language at the end of the bill is to take care of a situation that has happened in western Montana, where the logging industry rates are very high, and some of the employees have become members of a corporation, which excludes them from coverage under the Workmen's Compensation Division. Sen. Hazelbaker said that since the bill has been introduced, four different sets of proposed rules promulgated by the WCD have been drafted. Mr. Everett Snortland, Montana Farm Bureau, also spoke in support. OPPOSITION: Mr. Larry Zanto, WCD administrator, said he objected to the bill. He said he agreed with Sen. Hazelbaker concerning subsection (4), which attempts to address the problem of a person who claims he is an officer of a corporation, but in reality is not. The problem is one of enforcement. Mr. Jim Murry, AFL-CIO, said he was concerned about the enforcement of this change in law, and he realized that it was a legitimate problem.

SENATE BILL #642 -- SPONSOR? Sen. George Siderius. This bill eliminates the social security offset against the Workmen's Compensation Division benefits under Montana laws. Mr. Zanto, WCD administrator, spoke in support. He said this bill does the same thing as HB #1099 with regard to removing the offset. Mr. Jim Murry, AFL-CIO, said he had a question regarding the effective date of the act. The old act took effect on July 1, 1973, and if this one goes into effect as provided for in this bill and HB #1099, legislation will take effect on July 1, 1974. Anyone who becomes a widow between the two bills could receive less money than under the old act. He felt it was important to make the act effective immediately. The committee decided to draft a letter to the Attorney General's office clarifying the legal issues. Letter is attached.

SENATE BILL #704 -- SPONSOR: Sen. Earl Moritz. This bill attempts to correct a situation with respect to merchandise or manufactured goods made in Montana with the 3 percent preference given to Montana contractors. Mr. William Scribner, attorney, Montana Contractors Association, and Mr. Jack Marlowe, manager, Montana Contractors Association, were present. This bill clarifies the intent of the law. The bill arose when an award had originally been given to a non-resident contractor. He was given the award on the condition that he would use Montana products and Montana labor.

Witnesses were excused, and the following action was taken.

SENATE BILL #704 -- Rep. Flynn moved that SENATE BILL #704 BE CONCURRED IN. Rep. Kimble seconded. Motion carried unanimously.

SENATE BILL #642 -- Action will be deferred until we receive an answer from the Attorney General.

SENATE BILL #489 -- Rep. Flynn moved that SENATE BILL #489 BE CONCURRED IN. Rep. Flynn changed his motion to amend the bill on page 1 in the title on lines 7, 8, and 9, by omitting the material "REMOVING THE

SENATE BILL
#642
February 22, 1974

STATE OF MONTANA
DEPARTMENT OF LABOR AND INDUSTRY
WORKMEN'S COMPENSATION DIVISION

815 FRONT STREET
HELENA, MONTANA 59601
THOMAS L. JUDGE, GOVERNOR

LAWRENCE M. ZANTO
[redacted]
ADMINISTRATOR

January 23, 1974

D I Hardware, Inc.
36 N. Idaho
Dillon, Mt. 59725

Re: Aetna Cas. & Surety
55CN 5447 CCA

Joe Morstein, V. Pres.
Richard A. Wieber, Sec. Treas
James W. Flynn, Pres.

Gentlemen:

The new law, Section 92-208 revised codes of Montana, provides for some discretion by the Division of Workmen's Compensation as to which rejections it will personally review and investigate before making a subjective determination to either approve or deny elections by corporate officers not to be bound as employees under the Act. Therefore, we will need to be furnished with a thorough description of each officer's duties in the corporation.

Your immediate attention in the matter will be appreciated.

Very truly yours,

WORKMEN'S COMPENSATION DIVISION
Bureau of Insurance Compliance

Connie Holm
Policy Clerk

ch
cc: Aetna Cas. & Surety

SENATE BILL #642
February 22, 1974

The Big Sky Country

MONTANA STATE [illegible] OF REPRESENTATIVES

February 22, 1974

Mr. Robert L. Woodahl
Attorney General
Room 208, State Capitol
Helena, Montana 59601

Dear Mr. Woodahl:

The Senate and House Committees on Labor and Employment are concerned with the effect of some proposed legislation and would like your opinion as to its ramifications. The proposed bill would amend section 92-704.1, R.C.M. 1947, by removing the offset the state takes against social security benefits in cases of injury causing death. This offset was enacted into law by the 1973 Legislature, and the question now arises as to what effect the removal of the offset would have on those people whose social security beneifts have been offset since July 1, 1973, until the present time. If the offset is removed, will Workmen's Compensation Division still be mandated to take the offset against those persons who fell with the purview of the old law? If not, do we have a problem with Article 2, Section 31 of the Montana Constitution?

We would appreciate your prompt reply to this question since, as you are well aware, time is running short for this legislative session, and we feel some action is necessary in this area.

Sincerely,

Senator George Siderius
Chairman
Senate Labor and Employment
Relations Committee

Rep. Pat McKittrick
Chairman
House Labor and Employment
Relations Committee

by

SENATE BILL #642
Submitted by
Sen. Siderius
February 22, 1974

BEFORE THE WORKMEN'S COMPENSATION DIVISION

OF THE STATE OF MONTANA

MARGARET T. BURKHEAD,
FATAL: ALFRED BURKHEAD,

Claimant,

vs.

HARIAS EQUIPMENT, INC.,

Employer,

and

FEDERATED MUTUAL INSURANCE CO.,

Defendant.

ORDER AWARDING COMPENSATION

CASE NO. 5BH-3490

ALFRED BURKHEAD was fatally injured on October 11, 1973, while employed by the HARIAS EQUIPMENT, INC., an employer enrolled under Plan Two of the Workmen's Compensation Act, the insurer being FEDERATED MUTUAL INSURANCE CO.

The claimant has made claim for compensation and other benefits in behalf of herself and her minor children and it appearing that the claimant and her minor children are entitled thereto as legal beneficiaries as provided by Section 92-704.1, Revised Codes of Montana, 1947;

IT IS ORDERED that the weekly benefits payable under Section 92-704.1, Revised Codes of Montana, 1947, shall be reduced by the amount of the federal periodic benefits granted by the Social Security Act, 42 U.S.C. 301 (1935).

IT IS FURTHER ORDERED that because the said federal periodic benefits have been computed to be in the amount of $111.39 per week and the benefits payable under Section 92-704.1 have been computed to be in the amount of $114.76 per week, the FEDERATED MUTUAL INSURANCE CO. shall pay to the claimant the amount of $3.37 per week until such time as the federal periodic benefits are adjusted.

IT IS FURTHER ORDERED that funeral and other benefits within the limits provided by law shall be paid.

IT IS FURTHER ORDERED that this Order shall constitute a full and final award of all compensation and other benefits resulting from the accidental death of ALFRED BURKHEAD.

Dated at Helena, Montana, this 20th day of November, 1973.

LAWRENCE M. SANTO
Administrator

ATTEST:

MARGARET CONDON
Secretary

SENATE BILL #642
Submitted by
Sen. Siderius
February 22, 1974

BEFORE THE WORKMEN'S COMPENSATION DIVISION

OF THE STATE OF MONTANA

MARGARET T. BURKHEAD,
FATAL: ALFRED BURKHEAD,

Claimant,

vs.

MARIAS EQUIPMENT, INC.,

Employer,

and

FEDERATED MUTUAL INSURANCE CO.,

Defendant.

ORDER AWARDING COMPENSATION

CASE NO. 59B-3490

ALFRED BURKHEAD was fatally injured on October 11, 1973, while employed by the MARIAS EQUIPMENT, INC., an employer enrolled under Plan Two of the Workmen's Compensation Act, the insurer being FEDERATED MUTUAL INSURANCE CO.

The claimant has made claim for compensation and other benefits in behalf of herself and her minor children and it appearing that the claimant and her minor children are entitled thereto as legal beneficiaries as provided by Section 92-704.1, Revised Codes of Montana, 1947;

IT IS ORDERED that the weekly benefits payable under Section 92-704.1, Revised Codes of Montana, 1947, shall be reduced by the amount of the federal periodic benefits granted by the Social Security Act, 42 U.S.C. 301 (1935).

IT IS FURTHER ORDERED that because the said federal periodic benefits have been computed to be in the amount of $111.39 per week and the benefits payable under Section 92-704.1 have been computed to be in the amount of $114.76 per week, the FEDERATED MUTUAL INSURANCE CO. shall pay to the claimant the amount of $3.37 per week until such time as the federal periodic benefits are adjusted.

IT IS FURTHER ORDERED that funeral and other benefits within the limits provided by law shall be paid.

IT IS FURTHER ORDERED that this Order shall constitute a full and final award of all compensation and other benefits resulting from the accidental death of ALFRED BURKHEAD.

Dated at Helena, Montana, this 26th day of November, 1973.

LAWRENCE J. TAUTO
Administrator

ATTEST:

MARGARET CONDON
Secretary

than clarifying.

Witnesses were excused, and the following action was taken:

SENATE BILL #702 -- Rep. Hodges moved that SENATE BILL #702 BE NOT CONCURRED IN. Rep. Flynn disagreed because he felt it was evident that these people have a particular situation and organized labor on the national level has recognized this problem. Rep. Bell agreed with Rep. Flynn. Rep. Lombardi felt that this was opening up a new "can of worms" and that there would be several groups coming in to ask to be exempted from unions. Rep. Hodges' motion failed with Reps. Lombardi, Baeth, Hodges, and Kimble voting yes; and Reps. Bell, East, Flynn, Lee, and Turner voting no. Rep. Bennetts and Colberg abstained. Rep. Flynn moved that SENATE BILL #702 BE CONCURRED IN. Motion carried with Reps. Bell, East, Flynn, Lee, and Turman voting yes; and Reps. Lombardi, Hodges, Kimble, and Baeth opposed. Reps. Bennetts and Colberg abstained.

SENATE BILL #642 -- Rep. Lee moved that SENATE BILL #642 BE CONCURRED IN. Tom Keegan said that a letter was sent to the Attorney General requesting his opinion, but conflicting replies were received. Chairman McKittrick said the safest way to handle this bill would be to put the appropriation into another bill. Rep. Baeth made a substitute motion to amend the title and the body of the bill to make the act effective upon passage and approval by adding a new section 2. Rep. Lee said it was our responsibility to cover this cost because we left them out last year. Rep. Turner was opposed to the amendment because the money wasn't appropriated. Rep. Baeth's motion to amend the bill carried with Reps. Bell, East, and Turner opposed. Rep. Lee then moved that SB #642 AS AMENDED BE CONCURRED IN. Motion carried with Rep. Turner opposed.

SENATE BILL #711 -- Rep. Bennetts moved that SENATE BILL #711 BE NOT CONCURRED IN. Rep. Kimble felt this bill discriminated against those secretaries in a confidential relationship with her employer because she is exempted from bargaining units. Both Reps. Bennetts and McKittrick pointed out that there was no definition for "confidential labor relationship." Motion that SENATE BILL #711 BE NOT CONCURRED IN carried; Rep. Colberg opposed.

SENATE BILL #48 -- Rep. Hodges moved that SENATE BILL #48 BE NOT CONCURRED IN. She said that OSHA will still be in command whether this is passed or not. Rep. Lee said this will cost more money to the employer. Rep. Flynn said the thing he liked about this bill was the aspect of courtesy inspections. He said that the small businesses don't have the expertise as far as safety inspections are concerned, whereas larger business can afford to provide this. He also felt that everything would function better on the state level, and he appreciated the opposition's argument that Workmen's Compensation Division cannot administer this.

Rep. Kimble made a substitute motion to amend the bill as following: 1) page 3, section 3, subsection (2), lines 21 & 22, after "division of" by deleting the material "workmen's compensation" and inserting " occupational safety and health", and 3) page 54, line 10, by adding a new section 74 to read: 'Section 74. There is created a division of occupational safety and health within the department of labor and

MINUTES OF THE MEETING
LABOR AND EMPLOYMENT RELATIONS COMMITTEE
MONTANA STATE SENATE

January 25, 1974

The meeting of the Labor and Employment Relations committee was called to order by Chairman Siderius on the above date in Room 402 of the State Capitol Building at 8:30 a.m.

ROLL CALL: All members were present.

CONSIDERATION OF SENATE BILL NO. 635: Senator Thiessen, author of SB 635, appeared before the committee in support of his bill. Believe it would be best to have these independent contractors, such as custom combiners, be checked at the port of entry to determine if they are covered by workmen's compensation.

Norm Grosfield of the Workmen's Compensation Division stated their division would make any necessary phone calls, upon request of the farmer, to the home state of the contractor to determine if they are covered. All that is required is that they are covered in their own state.

Senator Thiessen felt that the farmer does not have time, during the busy harvest season, to make phone calls and wait for an answer.

Senator Lowe thought that perhaps some of these contractors would not be stopping in Montana to work and therefore there would be no use in checking them at the port of entry if they were just travelling through Montana.

Senator Lowe felt that there was no need for subsection (8).

Senator Moore was wondering how many cases of abuse there have been besides the two that were mentioned at the Wednesday meeting. Grosfield stated there have not been a huge number of abuses but there has been more than these two.

CONSIDERATION OF SENATE BILL NO. 642: Senator Siderius explained the reason and the workings of his bill to the Committee. Jim Murray of the Montana AFL-CIO had wanted to appear before this Committee but was called out of town. Chairman Siderius has given him time at the January 28th meeting to appear.

George Wood appeared in opposition to the bill. This bill was enacted last year with the package of bills pertaining to Workmen's Compensation.

Robert Helding, St. Regis Paper Company opposed the bill.
William Kirkpatrick, Montana Wood Products Assoc. opposed the bill.
P.L. MacDonald, the Anaconda Company opposed the bill.

If this bill is left as it is and goes into effect on July 1 it would not affect any death benefits prior to that date.

Senator questioned how many cases of death last year. Grosfield answered between 50 and 60.

Senator Shea asked if it would be possible for the Division to prepare a couple of cases for the Committee to look at. Mr. Zanto stated that he had tried this but had not gotten very good cooperation from the Social Security Office.

Chairman Siderius asked if there were some cases where the benefits exceeded the man's weekly income. Mr. Wood remarked that there are.

CONSIDERATION OF SENATE BILL NO. 647: Senator Siderius introduced Fred Barrett of the Employment Security Division to explain the reasons for this bill.

Mr. Barrett stated that due to a reconstructed tax structure, over 1/2 million dollars paid out and various other national events, a tax increase now may prevent serious problems later.

Mr. Don Merritt of the Employment Security Division, stated that the fund is $600,000 under what it was last year at this time. An increase of .2 would be roughly 1,350,000 for a year. The 1973 tax collection was $11,300,000 and the benefit outlay was $12,060,000.

Mr. Chad Smith stated that it had only been a little over 6 months since the benefit schedule went into effect. We are not at the present time, in any trouble in this fund. Felt the tax increase was unnecessary at this time. Keep the fund at the proper level.

Mr. Helding opposed this measure. If the fund drops below the $18 million and stays there continuously for a period of one year, it automatically goes to 2.0. If this does not raise the fund everyone would automatically go to the maximum which is 3.1.

Mr. MacDonald of the Anaconda Company, stated that their company pays in between $300 and $500,000 per year and this would increase their payment around $73,000. Did not feel the fund was in jeopardy at the present time.

Mr. Kirkpatrick supported the position taken by the foregoing opponents.

Tom Winsor, Montana Chamber of Commerce opposes the bill.

Mr. Barrett stated that the Advisory Council has a meeting scheduled on Monday. Senator Siderius suggested that further action be delayed until after the Advisory Council meeting and take their recommendations into consideration.

DISPOSITION OF SENATE BILL NO. 555:

Senator Lowe motioned, seconded by Senator Bertsche that Senate Bill No. 555 DO PASS.

ROLL CALL

LABOR & EMPLOYMENT COMMITTEE

SECOND HALF - 43rd LEGISLATIVE SESSION 1974 Date 1/25/74

NAME	PRESENT	ABSENT	EXCUSED
Jensen, Art			
Bertsche, Bill			
Flynn, Elmer			
Keenan, D.J.			
Shea, Jimmy			
Bennett, George			
Himsl, Matt			
Lowe, Bill			
Moore, Jim			
McNamer, William			
Siderius, George			

Each day attach to minutes

DATE January 5, 1974

COMMITTEE ON Labor + Employment BILL NO. _____

VISITOR'S REGISTER

NAME	REPRESENTING	BILL NO	Check One: Support	Oppose
Gary Wood	Montana Self Insurers	642		✓
Bill Gelding	Mt. Pkg. Corp. Co.	642 647		✓
Don Merrick	E & C	647		
David V Ranson	Empl &	647		
Fred Barnett	E S D.	647		
[illegible]	W Pers Comp Assn	635 642		
Norm Mayfield	Div of Workmens Comp	635 642		
Tom Dwyer	Montana Chamber	647		✓

(Please leave prepared statement with Secretary)

MINUTES OF THE MEETING
LABOR AND EMPLOYMENT RELATIONS COMMITTEE
MONTANA STATE SENATE

February 6, 1974

The meeting of the Labor and Employment Relations Committee was called to order by Chairman Siderius on the above date in Room 402 of the State Capitol Building at 8:30 a.m.

ROLL CALL: All members present, with Senator Flynn absent, and Senator McNamer excused.

CONSIDERATION OF SENATE BILL 642: Senator Bertsche felt that Social Security and Workmen's Compensation are two different contracts and one should not be deducted because of the payment of another. Senator Himsl could not see the justification of the workmen's compensation being relieved of its obligation. Did not think it should be reduced because of the widow collecting Social Security.

Tom Keegan, Researcher, stated there was misinformation last session. There is a bill in the House committee to do the same thing. The House committee felt they had been mislead. Social Security does not have any offset provision for death benefits.

Senator Lowe stated that our benefits have been lengthened from a limited period to life or until remarriage and did not feel that the workmen's compensation rates for employers should be raised again this year. There may be a few cases where the widow would be receiving more compensation than what her husband made as wages.

Senator Moore asked what the increased cost would be to the employer? Senator Bertsche called the workmen's compensation division and was informed that the increase would be around 10%. Senator Lowe added that last year there was a 22% increase in just adding "for life or until remarriage". He did not feel this new increase is necessary.

Under workmen's compensation there is no inflation factor such as increase in Social Security benefits. Maybe something could be done to increase the average weekly wage according to inflation.

DISPOSITION OF SENATE BILL 642:

Senator Bertsche moved that the bill be amended on page 2, line 2 through line 9 by deleting it in its entirety. Motion seconded by Senator Shea. Motion carried 7 to 2 with Senators Moore and Lowe voting no. MOTION CARRIED.

Senator Lowe moved that action be deferred until some figures are obtained. No second.

Senator Bertsche moved that SB 642 DO PASS AS SO AMENDED. Senator Shea seconded the motion. MOTION CARRIED, with Senators Moore and Lowe voting no.

CONSIDERATION OF SENATE BILL 708: Senator Keenan presented an amendment to SB 708 in Section 1, page 1, line 12, after the word "as" by inserting the word "informational".

ROLL CALL

LABOR & EMPLOYMENT COMMITTEE

SECOND HALF - 43rd LEGISLATIVE SESSION 1974 Date 2/6/74

NAME	PRESENT	ABSENT	EXCUSED
Jensen, Art	✓		
Bertsche, Bill	✓		
Flynn, Elmer		✓	
Keenan, P. J.	✓		
Shea, Jimmy	✓		
Bennett, George	✓		
Himsl, Matt	✓		
Lowe, Bill	✓		
Moore, Jim	✓		
McNamer, William			✓
Siderius, George	✓		

Each day attach to minutes

compensation benefits for injury causing death shall be sixty-six and two-thirds percent (66 ⅔%) of the decedent's wages. The maximum weekly compensation benefits shall not exceed the state's average weekly wage. The minimum weekly compensation for death shall be fifty percent (50%) of the state's average weekly wage, but in no event shall it exceed the decedent's actual wages at the time of his death.

(2) To beneficiaries as defined in section 92-413, subsections (5) and (6), weekly benefits shall be paid to the extent of the dependency at the time of the injury, subject to a maximum of sixty-six and two-thirds percent (66 ⅔%) of the decedent's wages. The maximum weekly compensation shall not exceed the state's average weekly wage.

(3) If the decedent leaves no beneficiary as defined in section 92-413, a lump sum payment of three thousand dollars ($3,000) shall be paid to the decedent's surviving parent or parents.

(4) Death benefits shall be paid to a widow or widower for life or until remarriage, and in the event of remarriage two (2) years' benefits shall be paid in a lump sum to the widow or widower. In all cases, benefits shall be paid to beneficiaries as defined in *section 92-413.*"

Section 3. Section 92-708, R.C.M. 1947, is amended to read as follows:

"92-708. **Compensation to run consecutively — manner of payment.** Compensation shall run consecutively and not concurrently and payment shall not be made for two (2) classes of disability over the same period. Compensation due to beneficiaries shall be paid to the surviving spouse, if any, or if none, then divided equally among or for the benefit of the children. In cases where beneficiaries are a surviving *spouse* and stepchildren of such *spouse* the compensation shall be divided equally among all beneficiaries. Compensation due to *beneficiaries as defined in section 92-413, subsections (5) and (6)* where there *is* more than one (1), shall be divided equitably among them and the question of dependency and amount thereof shall be a question of fact for determination by the division."

Section 4. This act shall be effective upon its passage and approval.

Approved March 21, 1974

CHAPTER NO. 270

AN ACT TO AMEND SECTION 92-704.1, R.C.M. 1947, RELATING TO BENEFIT REDUCTIONS UNDER THE WORKMEN'S COMPENSATION ACT; AUTHORIZING THE DIVISION TO MAKE CERTAIN PAYMENTS; AND PROVIDING AN EFFECTIVE DATE.

Be it enacted by the Legislature of the State of Montana:

Section 1. Section 92-704.1, R.C.M. 1947, is amended to read as follows:

"92-704.1. **Compensation for injury causing death.** Weekly compensation benefits for injury causing death shall be sixty-six and two-thirds percent (66 ⅔%) of the decedent's wages. The maximum weekly compensation benefits shall not exceed the state's average weekly wage. The minimum weekly compensation for death shall be fifty percent (50%) of the state's average weekly wage, but in no event shall it exceed the decedent's actual wages at the time of his death.

Death benefits shall be paid to a widow or widower for life or until remarriage, and in the event of remarriage two (2) years' benefits shall be paid in a lump sum to the widow or widower. In all cases, benefits shall be paid to beneficiaries as defined in this act."

Section 2. There is a new section to be numbered 92-704.2, R.C.M. 1947, which reads as follows:

92-704.2. **Application of act.** The provisions of this act apply prospectively only. However, the division shall pay to any widow, widower or beneficiary who did or shall become eligible for compensation for injury causing death after June 30, 1973, and before July 1, 1974, such sum or sums necessary to bring the total amount of compensation paid or to be paid as long as such person has, or remains eligible for compensation, to the amount such person would have received without the reduction for benefits granted by the Social Security Act. The division shall pay such sums in a lump sum as to compensation periods past and bi-weekly as to compensation to become due and from a special fund appropriated for this purpose.

Section 3. This act is effective on its passage and approval.

Approved March 22, 1974

CHAPTER NO. 271

AN ACT AMENDING THE FLOODWAY MANAGEMENT AND REGULATION ACT, SECTION 89-3501 ET SEQ., R.C.M. 1947, TO PROVIDE FOR THE DESIGNATION OF FLOODPLAINS AND FLOODWAYS; TO SHORTEN TO SIX MONTHS THE TIME WITHIN WHICH A POLITICAL SUBDIVISION MAY ADOPT LAND-USE REGULATIONS; TO EMPOWER THE BOARD OF NATURAL RESOURCES AND CONSERVATION TO SHORTEN UPON NOTICE THE SIX-MONTH TIME PERIOD WHEN NECESSARY TO COMPLY WITH FEDERAL FLOOD INSURANCE REGULATIONS; AND TO ALLOW LOCAL POLITICAL SUBDIVISIONS TO ADOPT EXCLUSIVE FLOODPLAIN AND FLOODWAY LAND-USE REGULATION AND PERMIT SYSTEMS; AND PROVIDING AN EFFECTIVE DATE.

Be it enacted by the Legislature of the State of Montana:

Section 1. Section 89-3502, R.C.M. 1947, is amended to read as follows: